

REMARKS

Claims 1, 5 and 6 are amended to incorporate the subject matter of claims 2 and 3. Furthermore, support for the amount of the compound of formula (1) as claimed can be found at least at page 8 of the present specification.

Claims 2-3, 7-12, 14 and 16 are canceled without prejudice or disclaimer.

Claim 17 is added. Support for claim 17 can be found at least at page 8 of the present specification. No new matter is added.

Entry of the Amendment after final, which is respectfully submitted, is deemed to be proper because Applicant is merely addressing the Examiner's concerns under §112, canceling claims and rephrasing the claims to clearly describe the claimed subject matter.

Upon entry of the amendment, claims 1, 4-6 13, 15 and 17 will be all the claims pending in the application.

Response to Claim Rejection Under 35 U.S.C. §112

Claims 1-16 are rejected under 35 U.S.C. §112, 1st paragraph, as failing to comply with the written description requirement. Specifically, the Examiner points to claims 1, 6, 14 and 16 as being non-compliant.

Applicants note that at paragraph 7 of the Office Action, the Examiner states that the present specification does not provide support for the term "non-crosslinked" in claims 1, 6, 14 and 16. Furthermore, the Examiner states that there is no support for the phrases "in the absence

of a crosslinking monomer” and “wherein the copolymer is not an ampholyte copolymer” as recited in claims 14 and 16.

The present claims have been amended to remove the expression “non-crosslinked” from the claim language. Furthermore, claims 14 and 16 are canceled.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the Examiner’s rejection under §112.

Response to Claim Rejections Under 35 U.S.C. §§102 and 103

Response to Rejections over Villard

Claims 1-16 are rejected under 35 U.S.C. §102(a) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Villard (WO 01/97772, corresponding to U.S. Patent Application Publication No. 20004/0028637; hereafter all citations will correspond to the U.S. Publication).

Applicants respectfully traverse.

Applicants respectfully submit that the monomer mixture of claim 1 comprises a compound of formula (1). No such compound is disclosed in Villard.

Therefore, Applicants respectfully submit that claim 1 is not anticipated, nor obvious in view of Villard, and therefore, claim 1 is in condition for allowance. Furthermore, claims 4-6, 13, 15 and 17 are patentable at least by virtue of their dependence from claim 1.

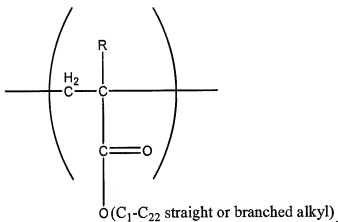
Applicants therefore respectfully request reconsideration and withdrawal of the Examiner’s rejection of the present claims over Villard.

Response to Rejection over Melby

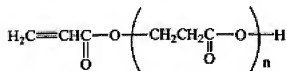
Claims 1-16 are further rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Melby.

Applicants respectfully traverse.

Applicants respectfully submit that at column 5, lines 10-11, Melby discloses the optional use of an alkyl acrylate or methacrylate. Furthermore, at column 8, lines 28-30, Melby discloses an alkyl acrylate or methacrylate, represented by the generic formula:



In comparison, formula (1) of present claim 1 is:



Melby does not identically disclose or fairly suggest the required use of a compound of formula (1) of the present claims in a thickener or detergent solution as presently claimed.

Therefore, even if a person of ordinary skill in the art were to employ the optional alkyl acrylate or methacrylate of Melby in Melby's composition, he would not arrive at the thickener or detergent of the present invention.

Applicants respectfully submit that in view of the above, claims 1, 4-6, 13, 15 and 17 are patentable over Melby. Applicants therefore respectfully request the reconsideration and withdrawal of the §103 rejection based on Melby.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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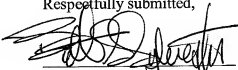
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CUSTOMER NUMBER

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Respectfully submitted,



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